

The Increasingly Complicated World of International Mediation

HERDING CATS: MULTIPARTY MEDIATION IN A COMPLEX WORLD
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I. INTRODUCTION

The widely held, if naïve, hope that the passing of the Cold War would swiftly and seamlessly lead to a peaceful, stable, and just world order had been thoroughly dashed well before the tragedy of September 11, 2001. As the turn of the millennium approached, the discipline imposed by opposing superpowers on their blocs had given way to a more fluid international system, but one still marked by frequent tension and many difficult or intractable problems.

Today, while the fear of global nuclear holocaust between absurdly over-armed cold warriors has subsided, nuclear conflict within particular regions of the world is frighteningly possible. Furthermore, across the globe, terrorism threatens as never before. Dangerously capable networks do not merely operate across state boundaries, but gain the assistance of rogue regimes. In terms of the sheer numbers of threats to the world order, however, even these formidable concerns are dwarfed by extraordinarily serious disputes and antagonisms within states—some new, others welling up anew from ancient springs. Thus, even as the Cold War recedes into history, civil war, domestic tyranny, national and religious rifts, and ethnic, inter-communal, and other forms of internecine strife abound.

For our peacemakers, the number, complexity, and vicious nature of these modern conflicts have greatly taxed, indeed perhaps even overwhelmed, our conflict-resolution machinery. Chapter VI of the United Nations Charter does little more than list mechanisms to promote the peaceful settlement of disputes—negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, and resort to regional agencies or arrangements—and provide procedures for Security Council investigations and recommendations.¹ Given the multitude and magnitude of the

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¹ U.N. CHARTER art. 33.

peacemaking tasks that confront the international community, this dry cataloguing of possibly useful tools may appear woefully inadequate. And yet, pressing states to adopt any single method of dispute resolution has often been hailed as a matter of theory, but as often has been rejected as a matter of practice, as the largely unhappy histories of compulsory adjudication and compulsory arbitration attest.

Beyond this, few knowledgeable onlookers would quarrel with the proposition that in past decades the use of force toward humanitarian ends—whether via large-scale military intervention or peacekeepers of various stripes, whether under the U.N. flag or the flag of particular states or regional organizations²—has been replete with setbacks and limitations, as well as occasional successes. Even so uncontroversial a concept as promoting the resolution of international differences by mediation is “sometimes a fig leaf for political inaction and policy disarray . . . a means to be seen [as] doing something while shifting responsibility and reducing the likelihood of being blamed for policy failures.”³

Nevertheless, the picture is by no means wholly bleak. In recent years parties to many deep-seated disputes have arrived at settlements, sometimes after years of negotiations, that have left their societies with real hope for more just, stable and secure futures. Haiti, Namibia, Guatemala, Mozambique, South Africa, El Salvador, Northern Ireland, and the Balkans immediately spring to mind. In the course of this surge in peacemaking, mediation and other forms of third-party intervention—some official, others unofficial; some simultaneous, others sequential; some joint, others what might better be termed contiguous—have often proven to be useful methods for bringing parties toward mutually beneficial resolutions of their disputes.

Despite the importance of their deeds, however, surprisingly little is known about how international mediators have operated, in what manner, exactly, they have succeeded, and in what respects they have failed. In 1997, two distinguished diplomats reported to the U.N. Secretary-General:

Information about the role of special representatives and personal envoys is sparse because these missions typically are undertaken without publicity by practitioners of “quiet diplomacy” who tend not to reveal what they do and how they do it. Scholarly research and policy-relevant information has been

² A particularly useful overview of applicable law and recent practice is MICHAEL J. KELLY, *PEACE OPERATIONS: TACKLING THE MILITARY LEGAL AND POLICY CHALLENGES* (1997).

³ HERDING CATS: MULTIPARTY MEDIATION IN A COMPLEX WORLD 687 (Chester A. Crocker et al. eds., 1999).

meager; the subject remains, in the words of one UN expert, “an academic mystery.”⁴

While for quite some time those who study and work in international conflict resolution have thirsted for more scholarly and analytical information about third-party interventions in disputes around the world, a catalyzing event occurred in the mid-1990s. The Dayton Peace Accords “ended a long series of mediations, marked by draining turf battles among different third-party institutions and between the United States and the Europeans.”⁵ These circumstances stimulated the United States Institute of Peace (USIP) to initiate a project on multiparty mediation, of which the volume under review is the chief written work product.⁶

II. OVERVIEW OF *HERDING CATS: MULTIPARTY MEDIATION IN A COMPLEX WORLD*

To shed light on emerging issues in international mediation and to help to bridge the gap between theory and practice in this rapidly developing field, three distinguished scholar-practitioners—Chester Crocker, former U.S. Assistant Secretary of State for African Affairs, Fen Osler Hampson, Professor of International Affairs at Carleton University, and Pamela Aall, Director of the USIP Education Program—have assembled a weighty collection of essays. In one chapter of this lengthy volume they advance their own theoretical approach to conflict, ultimately recommending a blend of structuralist and social-psychological approaches.⁷ In another, the editors summarize the points made by the contributors at a roundtable meeting.⁸ The first, third, and final chapters are aimed at synthesizing lessons and conclusions from the multiparty mediation project.

The heart of the book, however, is formed of case studies, contributed by more than two dozen accomplished international mediators and chosen from what the editors see as the three chief stages of what they call the “conflict

⁴ CYRUS R. VANCE & DAVID A. HAMBURG, *PATHFINDERS FOR PEACE: A REPORT TO THE UN SECRETARY-GENERAL ON THE ROLE OF SPECIAL REPRESENTATIVES AND PERSONAL ENVOYS* 21–22 (1997), *quoted in* Paul Arthur, *Multiparty Mediation in Northern Ireland*, in *HERDING CATS*, *supra* note 3, at 469, 475.

⁵ Chester A. Crocker et al., *Rising to the Challenge of Multiparty Mediation*, in *HERDING CATS*, *supra* note 3, at 665, 665.

⁶ *HERDING CATS*, *supra* note 3, at xiv.

⁷ Chester Crocker et al., *Multiparty Mediation and the Conflict Cycle*, in *HERDING CATS*, *supra* note 3, at 19, 20–29.

⁸ Chester A. Crocker et al., *The Practitioner's Perspective*, in *HERDING CATS*, *supra* note 3, at 47, 47–62.

cycle.”⁹ The cases examined span the globe—Asia, Africa, Europe, Latin America the Middle East, the Caribbean, and the Pacific—and they illustrate efforts to defuse potential disputes (for example, prenegotiation or preventive diplomacy in the South China Sea), attempts to settle ongoing conflict (for example, the Palestinian and Northern Ireland problems), and projects to help implement existing settlements (for example, the U.N. actions in Mozambique). To ensure that the book is reasonably accessible to those broadly interested in international affairs but perhaps not intimately familiar with the details of each case study, the editors insert brief background sections before each chapter that list the major actors, the most important dates, and the outcomes reached concerning the subject of each chapter.

Although a variety of possible improvements, detailed below, suggest themselves, *Herding Cats* stands as a timely and insightful effort to better understand the problems and prospects for the multiparty variety of international mediation. It provides an important contribution to the dispute resolution literature and should serve as a rich resource for scholars and practitioners alike. *Herding Cats* is especially useful in opening scholarly dialogue on multiparty mediation, an important development in international conflict management.

By “multiparty mediation” the authors mean “attempts by many third parties to assist peace negotiations in any given conflict.”¹⁰ The United Nations, regional organizations such as the Organization of American States, the Organization of African Unity, and the European Union, major states including Japan and Canada, the Scandinavian countries, and the United States, have been quite active in trying to bring peace to strife-torn areas. So, too, have a host of nongovernmental organizations (NGOs), ranging from the Community of Sant’Egidio, the International Crisis Group, and the Winston Foundation for World Peace, to the Ford Foundation, the Carnegie Corporation, the Council on Foreign Relations, and many others.

Herding Cats informs that the efforts by these many interested third parties have taken various shapes: “simultaneous interventions by more than one mediator in a conflict, interventions by composite actors such as regional organizations or contact groups, as well as sequential mediated interventions

⁹ Crocker et al., *supra* note 7, at 25–27.

¹⁰ Chester Crocker et al., *Introduction*, in *HERDING CATS*, *supra* note 3, at 3, 9. This is, of course, an exceptionally broad definition of mediation, one that tends to subsume other forms of dispute resolution. Indeed, certain of the contributors deny that their actions properly qualify as mediation at all. For instance, Jan Egeland makes clear that, in assisting the Palestinians and Israelis toward the Oslo Accord, Norwegians believed themselves engaged in *facilitation*, not mediation. Jan Egeland, *The Oslo Accord: Multiparty Facilitation through the Norwegian Channel*, in *HERDING CATS*, *supra* note 3, at 529, 531.

that again involve more than one party.”¹¹ Stated positively, as long-time U.S. diplomat Harold Saunders does, “it may be fruitful to think of mediation as itself a political process in which different actors with different capacities perform different functions at different times.”¹² This is an important insight since, as Saunders also points out, “citizens outside government can normally claim no authority to negotiate while negotiators normally exhibit little capacity to change human relationships in the larger body politic”¹³

Other contributors perceive additional benefits. Not only can burdens and risks be shared, but different relationships and multiple sources of leverage can usefully be drawn upon. In considering peacemaking in southern Africa, Chester Crocker argues that “[b]roadening the base of a mediation may contribute directly to the creation of . . . momentum and success [T]he lead mediator gains the benefit of the partners’ insights, relationships, credibility, resources, diplomatic ‘reach,’ and political ‘balance.’ Broadening, when successful, isolates the spoilers and ‘rejectionists’ common to most conflict situations.”¹⁴

At the same time, as this volume makes abundantly clear, it is a paradox of the post-Cold War era that efforts to make peace, which from time immemorial must rank as the most sensitive, delicate, and challenging of diplomatic endeavors, have often been further complicated by the sheer numbers of those who would like to help. Crocker notes, “To make such coalitions work is complex, intricate business. The care and feeding of eager but marginally useful partners can become a distraction. Such relationships require a lead mediator capable of much conspicuous listening and consulting, letting others carry the ball occasionally, and frequently sharing credit.”¹⁵

Chief among the cardinal liabilities of multiparty mediation is the familiar problem that too many cooks stirring the soup makes for unappetizing fare. Not only must substantial resources be devoted to communicating among the intervenors, and even mediating among them as they contest their proper roles and, perhaps, the ultimate credit and blame for their actions, but mediators who lack a common recipe can easily undermine one another or work at cross-purposes. In a sequential mediation, handing a partially completed process to a different mediator often makes for trouble.

¹¹ Crocker et al., *supra* note 10, at 10.

¹² Harold H. Saunders, *The Multilevel Peace Process in Tajikistan*, in HERDING CATS, *supra* note 3, at 161, 163–64.

¹³ *Id.* at 168.

¹⁴ Chester A. Crocker, *Peacemaking in Southern Africa: The Namibia-Angola Settlement of 1988*, in HERDING CATS, *supra* note 3, at 211, 230–31.

¹⁵ *Id.* at 231.

And, where tasks are divided among a group, the most difficult issues may be passed along down the table to become someone else's concern.

Also on the negative side of the ledger, multiple intervenors can offer the parties to a conflict opportunities to stall and to manipulate the naive. Parties confronting multiple mediators may forum or comparison shop, searching for a sympathetic ear among various options, and lobby alternatives for the resolution that best serves their interests. In this regard, Fabienne Hara of the International Crisis Group went so far as to describe of her experiences in central Africa: "Through their various international negotiators, Burundians have discovered the potential power of the media and of international public opinion, and have become obsessed with manipulating both. At the same time, Burundians have intensified division among the various international agents by underlining and exploiting their different agendas."¹⁶ For all of the above reasons, the "profusion of actors" engaged in this new brand of peacemaking—"peacekeeping forces, development agencies, nongovernmental organizations . . . , and lone operators"—"has often made peacemaking efforts messy, difficult, and even chaotic."¹⁷ Within the ranks, private and public actors jockey for position. Special envoys typically enter a conflict as representatives of states or organizations that have interests at stake, interests that plainly extend well beyond the peaceful resolution of the dispute in question. Thus, while the diplomatic, political, financial, and military resources that states can bring to bear on a problem can be considerable, their extracurricular agendas can blind them to opportunities and make them difficult to channel, or even to dislodge.

Frequently, NGOs with religious, developmental, and humanitarian focuses not only have access to decisionmakers, but also have relationships with victims of conflict that differ considerably from those of diplomats, and that might be used in positive ways to manage and resolve disputes. In emphasizing their more altruistic motives,¹⁸ and also, on occasion, by maligning the cynical or narrow views of professional diplomats, private institutions can gain a different sort of credibility—one untainted by the

¹⁶ Fabienne Hara, *Burundi: A Case of Parallel Diplomacy*, in HERDING CATS, *supra* note 3, at 139, 150.

¹⁷ Crocker et al., *supra* note 10, at 4.

¹⁸ As one contributor observed, "[s]ingle-state mediators, however high-minded their motives, are inevitably prone to being perceived as promoting national interests by the suspicion-ridden parties to a conflict." Margaret J. Anstee, *The United Nations in Angola: Post-Bicesse Implementation*, in HERDING CATS, *supra* note 3, at 589, 593. Another noted of the Mozambique peace process: "That none of the four mediators was ever paid for his time and effort was perceived as a sign of serious commitment." Andrea Bartoli, *Mediating Peace in Mozambique: The Role of the Community of Sant'Egidio*, in HERDING CATS, *supra* note 3, at 247, 263.

coercive and threatening postures that can be perceived when great powers attempt to intercede. Thus, Columbia University professor Andrea Bartoli argued that the Community of Sant'Egidio, a volunteer Catholic NGO deeply involved in the Mozambique peace accord, "was able to succeed as a conduit of negotiation because of the very weakness that made it such an unlikely leader—its lack of international prestige and power, which prevented it from being cast into[,] and constricted by[,] the formalities of more traditional efforts."¹⁹

Within the complicated and kaleidoscopic scene of international dispute resolution of the multiparty variety, the editors appropriately focus special attention on the following questions:

- How are third-party interventions to be managed so that they achieve useful goals?
- When is a dispute ready to be mediated, and when is a mediator ready to participate?
- Which types of mediators are best suited for which types of conflicts, or for which stages of a conflict?
- How can a mutually beneficial resolution emerge from multiple initiatives?
- How does a mediator keep simultaneous efforts from canceling out one another?
- How can sequential mediations best build on each other?
- What problems are associated with a "hand-off" of the conflict from one mediator to a successor?
- What political and bureaucratic problems constrain mediators?

An overarching theme is that trying to organize third-party interventions and multiparty mediations might be likened to herding cats.²⁰ The editors summarize:

[T]he mediator faces an array of highly autonomous individuals and organizations, such as special representatives of powerful states or of the UN secretary-general, high-level politicians, and committed individuals who are privately funded and accountable to no government or international

¹⁹ Bartoli, *supra* note 18, at 248. He continued: "Sant'Egidio helped to solve a difficult problem by introducing and, when necessary, recruiting other players into the process in order to create synergies—and, as a consequence, political latitude—that were previously absent." *Id.*

²⁰ Richard H. Solomon, USIP president and former Assistant Secretary of State for East Asian and Pacific Affairs, used the term "herding cats" to describe the diplomacy of 1990–91 leading to the Cambodia peace accords. Richard H. Solomon, *Bringing Peace to Cambodia*, in *HERDING CATS*, *supra* note 3, at 279, 299–300.

organization. Like cats, these independent agents rarely feel an obligation, or even a desire, to cooperate and they retain the ability to walk away from the mediation or to launch competing initiatives. The mediator cannot force these other third parties to collaborate but must persuade them to enter into a working relationship that reinforces rather than undermines the peacemaking mediation.²¹

Herding Cats also focuses upon the context in which multiparty mediation occurs and the particular constraints and opportunities that mediators face. The editors emphasize that mediators naturally bring their own peculiar advantages and disadvantages to the bargaining table, stemming from “different kinds of resources and capabilities” and different “notions of identity, social relationships, and historical and cultural context”²² They declare:

To understand why some parties—governmental or nongovernmental—make better mediators and are able not only to gain entry into a conflict but also to sustain a process of negotiation, we argue that one has to look beyond the kinds of resources and leverage these mediators bring to the table to their status, legitimacy, and broader political relationships with the parties concerned.²³

Notably, *Herding Cats* also analyzes the issues confronted by institutions that are considering intervening in a dispute. To ensure that the Hippocratic oath of doing no harm is fulfilled, the editors urge potential mediators to contend with difficult questions. In what senses is the institution capable of helping? Can it make a commitment to deal with the evident challenges, stay the course, and do positive work? Are its methods proven or experimental, and if the latter, what evidence exists that the method might prove beneficial? And, when might a developing mediation pull an institution away from its traditional roles and mission?

For well-intentioned possible intervenors, these are useful cautionary thoughts because, as the editors point out, “the world is littered with examples of mediators who parachute into conflict zones, only to leave as quickly when the venture fails or funding runs out.”²⁴ Of course, the damage resulting from failed interventions can be considerable, negatively affecting lives and communities, damaging the credibility of those who come later, and further complicating difficult predicaments.

²¹ Crocker et al., *supra* note 10, at 4.

²² Crocker et al., *supra* note 5, at 667.

²³ *Id.*

²⁴ *Id.* at 682.

Responding to a field sorely lacking accountability or accepted professional ethics or standards, the book urges that multiparty mediation be professionalized in the sense of having intervenors “think clearly and ahead of time about coordination, commitment, representation, appropriate institutions, leadership, and the role that they play in any given peacemaking effort.”²⁵ They caution: “Before third parties decide to intervene in a conflict arena, there . . . ought to be . . . some minimal obligation on their part to do their homework, ascertain who else is already involved, reflect upon the issue of coordination and coherence, and generally avoid complicating the local situation.”²⁶ Most sternly, they counsel that “there is . . . some obligation on third parties to avoid simply exporting their own confusion, organizational and fund-raising agendas, and eagerness to help, and to be seen helping, to peoples in conflict who already have enough problems.”²⁷

III. PARTICULAR ATTRIBUTES OF *HERDING CATS*

Herding Cats markedly enriches the conflict studies literature. Multiparty mediation is a complicated issue, and one worthy of considerably more scholarly inquiry than the international law, international relations, and conflict management disciplines have yet afforded it. A startling profusion of actors has had a hand in a multitude of third-party interventions. Those interventions have involved actions of different stripes, have occurred over varying time periods, and have had an array of consequences. Sorting through these efforts and finding telling contrasts and commonalities is a most worthwhile task.

Beyond this, the editors make a handful of specific contributions that ought to be noted, particularly since one of the greatest virtues of *Herding Cats* may be to inspire others to build more extensively and systematically upon the topics identified and insights offered in its pages.

A. *Novel International Mediation Issues*

Within this broad exploration of multiparty mediation, the editors highlight a series of substantial issues that have rarely been identified and analyzed. For instance, one understudied issue that *Herding Cats* takes up is the strengths and weaknesses of mediation by an institution rather than by an individual. Fabienne Hara’s chapter on parallel diplomacy in Burundi particularly

²⁵ *Id.* at 686.

²⁶ *Id.* at 696.

²⁷ *Id.* at 695.

focuses on institutional mediation.²⁸ She explores the diverse array of NGOs that has helped to mediate that conflict and notes the usefulness of an avowedly international approach. She also examines the challenges of getting official and private mediations to work in tandem, whether simultaneously or sequentially, during the various stages of the conflict cycle.²⁹ And, Hara concludes, while NGOs can play a role in conflict resolution that states cannot, they should try to do so within a larger official framework.³⁰ Otherwise, NGO mediators tend to fragment the international response. Thus, when agendas diverge, multiparty mediation can hinder dispute resolution, not further it. While some may find Hara's various conclusions debatable, her contribution nicely illustrates one of the volume's strengths. Particular new international mediation issues are identified, and seasoned actors are pressed to draw lessons from their own experiences.

B. *The Theory and Practice of Negotiation*

Herding Cats is by no means relevant to internationalists alone. Those engaged in many varieties of dispute resolution will doubtless find portions of the book relevant to their own work. For example, those broadly interested in the theory and practice of negotiation will discover notable points and examples. We learn that, in the course of negotiating the Oslo Accord, Yitzhak Rabin had New York lawyer Joel Singer "scrutinize every word and meaning of the text and present hundreds of 'clarifying' questions" to the Palestinians.³¹ Alvaro de Soto's contribution on "Ending the Violent Conflict in El Salvador,"³² reveals the manner in which the one-text negotiating strategy served the Salvadoran parties.³³ Luigi Einaudi, U.S. special envoy for the Ecuador-Peru peace process, nicely illustrates the technique of

²⁸ Hara, *supra* note 16, at 139–58.

²⁹ *See id.* at 147–48.

³⁰ *Id.* at 152.

³¹ Egeland, *supra* note 10, at 536.

³² Alvaro de Soto, *Ending Violent Conflict in El Salvador*, in *HERDING CATS*, *supra* note 3, at 349, 349–385.

³³ *Id.* at 359. De Soto defines the single negotiating text technique as consisting of

consulting with the parties on each issue and subsequently submitting a text to them, as far as possible simultaneously, and then discussing it with each of them separately and revising it in light of their reactions so as to narrow down differences, repeating the exercise as many times as necessary.

Id. In the 1970s and 1980s mediators used the one-text approach to positive effect in negotiating the Camp David accords and the Law of the Sea Convention. *See id.*; HOWARD RAIFFA, *THE ART AND SCIENCE OF NEGOTIATION* 205 (1982); ROGER FISHER ET AL., *GETTING TO YES: NEGOTIATING AGREEMENT WITHOUT GIVING IN* 116 (2d ed. 1991).

surmounting a stalemate by increasing the issues on the bargaining table.³⁴ One can clearly see the effective use of a fading opportunity by the Jimmy Carter-Sam Nunn-Colin Powell mediating team—which advertised to the Haitian military the imminent U.S. invasion of Haiti—but one can also see the need for flexibility in easing a deadline to accommodate an emerging agreement.³⁵

C. Historical Insights

Those of a historical bent will find that *Herding Cats*' compilation of case studies, replete with the insights, accounts, and reflections of practitioners, contributes substantially to the historical record of these often highly complicated disputes. This category encompasses not only the de Soto piece and State Department official Daniel Serwer's article on the ill-fated Bosnian Federation,³⁶ but also the analysis of the implementation of the 1992 peace agreement in Mozambique by its chief architect, Aldo Ajello, a rare instance of relatively successful United Nations state-building.³⁷ Similarly, the careful and detailed observations of Robert Pastor of the Carter Center, and of John de Chastelain, chair of the Independent International Commission on Decommissioning for Northern Ireland, make cardinal additions to the literature on the events in Haiti in 1994,³⁸ and the Good Friday Agreement of 1998,³⁹ respectively.

³⁴ Einaudi wrote,

A Peruvian negotiator observed in a down moment, "The least Ecuador can accept is more than the most Peru can give." The guarantor initiative of November 1997 sought to alter this negative dynamic by building development, integration, and modernization into the settlement. And to sustain momentum, the guarantors always sought agreement on some next step before adjournment of any meetings.

Liugi R. Einaudi, *The Ecuador-Peru Peace Process*, in *HERDING CATS*, *supra* note 3, at 407, 422.

³⁵ Robert A. Pastor, *More and Less Than It Seemed: The Carter-Nunn-Powell Mediation in Haiti, 1994*, in *HERDING CATS*, *supra* note 3, at 507, 516, 522–23.

³⁶ Daniel Serwer, *A Bosnian Federation Memoir*, in *HERDING CATS*, *supra* note 3, at 549, 549–86.

³⁷ Aldo Ajello, *Mozambique: Implementation of the 1992 Peace Agreement*, in *HERDING CATS*, *supra* note 3, at 619, 619–42.

³⁸ Pastor, *supra* note 36, at 507–25.

³⁹ Arthur, *supra* note 4, at 471–501.

D. International Organization

Much remains to be understood both about the substantial and still emerging role of NGOs in international affairs, and about what the end of the Cold War has meant for the operations of regional and international organizations. *Herding Cats* provides yet another service by considering how, and to what effect, state and non-state actors are now organizing the peacemaking slice of international life.

Regional and international organizations, while often hamstrung by inadequate funding for tasks of this sort, do have access to wealthy or powerful states, and can provide "a multilateral—not state-based—stamp of approval."⁴⁰ U.N. official Margaret Anstee wrote:

[The United Nations] has the advantages of being able to draw on the collective and individual help of all its member states and of being not only impartial but also *seen* as impartial. But it has the disadvantages of its actions being based on political compromise and so often long delayed and insufficiently decisive. Furthermore, the bureaucracy is heavy, there is insufficient delegation to the field, and the practice of appointing many staff on grounds of nationality and geographic representation, rather than qualifications, is often not conducive to effective operations. In contrast, individual countries can more easily take a decisive approach and may have more leverage with one or the other of the parties through historical, economic, or political connections. By the same token, however, those same connections may expose the mediating country to charges of partiality in its dealings⁴¹

With respect to non-governmental organizations, as Fabienne Hara noted, "NGOs have often found themselves playing almost governmental roles in Burundi. They sit as partners at the negotiation table, promoting dialogue and enjoying access to a wealth of resources and to the international media."⁴² She added: "Overall, their comparative advantages have clearly diversified and enriched the international system's ability to manage the Great Lakes conflicts. But to give a private entity a diplomatic role also leads to numerous quandaries."⁴³ The financial and human resources available to the NGO may or may not equal those that a public international organization might bring to bear. NGOs lack the economic and military leverage that major states enjoy,

⁴⁰ Crocker et al., *supra* note 10, at 12.

⁴¹ Anstee, *supra* note 18, at 609.

⁴² Hara, *supra* note 16, at 142.

⁴³ *Id.*

and some are uncomfortably prone to rudderless, disorganized, and unfocused behavior.⁴⁴ However, their relationships, outside funding, and intellectual resources, including their capacity for fresh thinking, can contribute significantly.⁴⁵

One of the most important, yet understudied, roles of NGOs in conflict resolution involves what is sometimes termed “track-two diplomacy,” and several of the chapters, most notably those on Northern Ireland⁴⁶ and the South China Sea,⁴⁷ focus on this phenomenon. That is, in various important disputes, apart from officials acting at their government’s behest and direction (“track-one diplomacy”), regular, though unofficial, contact is also taking place between representatives of conflicting parties and other concerned onlookers. This is aimed at creating an environment more conducive to the eventual official resolution of the conflict. Track-two diplomacy often occurs informally, in scholarly settings, in an open problem-solving atmosphere, with the aim of “fostering dialogue, developing ideas for joint cooperation, and reducing tensions by placing issues once considered taboo on the negotiating agenda”⁴⁸ That it is largely ignored by the media minimizes grandstanding by the participants, who also need not concern themselves with diplomatic protocol or with drafting a steady stream of private cables and public statements to feed the appetites of bureaucratic and news agencies alike.

These advantages ought not to be dismissed lightly. One diplomat noted:

As a former news reporter and a strong believer in free speech and open societies, I was struck by how disruptive the constant news coverage was at public peace negotiations for the Middle East. As soon as the delegates arrived in Washington or other official venues, journalists would confront them with the more hostile comments made by the opposing side, thus leading to even more aggressive responses.⁴⁹

In the track-two setting, freed from some of the need to defend or justify themselves, participants can focus more attention on brainstorming and relationship-building. Arthur observed colorfully, “[T]rack-two exercises

⁴⁴ Hara, *supra* note 16, at 139–40, 144.

⁴⁵ This idea is illustrated well by the work of the Community of Sant’Egidio in Mozambique. Bartoli, *supra* note 18, at 247, 247–73.

⁴⁶ Arthur, *supra* note 4, at 471–501.

⁴⁷ Hasjim Djalal & Ian Townsend-Gault, *Managing Potential Conflicts in the South China Sea: Informal Diplomacy for Conflict Prevention*, in HERDING CATS, *supra* note 3, at 109, 109–33.

⁴⁸ Crocker et al., *supra* note 5, at 669.

⁴⁹ Egeland, *supra* note 10, at 538.

... can act as midwives to the formal negotiations.”⁵⁰ Another authority wrote:

[T]rack two diplomacy is in no way a substitute for official ‘track one’ government-to-government or leader-to-leader contact. Rather, track two activity is designed to assist official leaders by compensating for the constraints imposed upon them by the psychologically understandable need for leaders to be, or at least *be seen* to be, strong, wary and indomitable in the face of the enemy⁵¹

E. *Expanding the Language of International Mediation*

For all of its ancient roots, the field of international mediation remains largely unexplored by scholars. Perhaps as a consequence, its vocabulary has remained limited and stagnant. This is attested to by the fact that the editors feel obliged to use the single term “mediation” to cover such disparate ideas. For instance, *Herding Cats* identifies, among various other concepts, mediation with some coercive elements, mediation aimed chiefly at building trust among the parties, and mediation in which the mediating team includes individuals of different nationalities. In the international context, one can say “mediation” and be describing a process aimed at conflict management, conflict mitigation, conflict resolution, or simply some contribution to future conflict resolution, such as the facilitation of the next round of negotiations. An attentive reader or listener, even while cued to the “mediation” context, could be picturing, with perfect justification, any of the following: shuttle diplomacy, back channel contacts, walks in the woods, or even problem-solving fora.

Just as most languages differentiate among a host of forms of precipitation—mist, drizzle, downpour, sleet, hail, and snow, for instance—so one can readily imagine a much richer terminology for such different varieties of mediation. In this respect, *Herding Cats* coins certain useful terms that may have lasting prominence. To take one example, Harold Saunders writes of “circum-negotiation” as “the tasks apart from negotiation that have the purpose of beginning, sustaining, and nourishing a process by changing relationships and paving the way for negotiation or other peaceful steps to resolve conflict,”⁵² in which third-party intervenors play the roles of

⁵⁰ Arthur, *supra* note 4, at 478.

⁵¹ JOE MONTVILLE, TRACK TWO DIPLOMACY: THE DEVELOPMENT OF NON-GOVERNMENTAL PEACE PROMOTING RELATIONSHIPS 1 (1986), *quoted in* Arthur, *supra* note 4, at 487.

⁵² Crocker et al., *supra* note 10, at 8.

"instigator, communicator, persuader, organizer, precipitator, legitimizer, convenor, moderator, manager, funder, teacher, idea formulator."⁵³

IV. A FEW SHORTCOMINGS

Potential readers will also be interested in noting what the book does not attempt to do or particularly distinguish itself in doing.

A. *Not a Definitive Theoretical Work*

While *Herding Cats* is a seminal contribution to a dispute resolution sub-field still in the very early stages of development, it is too eclectic in its sources and too uncertain in its theorizing to be regarded as the definitive theoretical work on international mediation. The editors correctly claim that "the practitioner accounts in this volume are highly suggestive about the rich mix of ingredients that go into a negotiated settlement."⁵⁴ However, for all the wealth of description and analysis in the case studies, the book is markedly thinner in its theoretical contributions.

1. *Particular Theoretical Flaws*

Much of the theoretical essence of the book is found in the second chapter. There, the editors lay out the structuralist and social-psychological paradigms. While these sections are not without points of interest, the editors themselves concede that couching the issue of what third parties can do in a conflict in these terms is "oversimplified."⁵⁵ Then, rather than building upon the case studies to create their own theoretical scheme, the editors opt merely to synthesize the existing paradigms, an effort that then seems to trail off in an account of the conflict in the former Yugoslavia. To the extent that the editors aim to build a lasting theoretical model for multiparty mediation, their attempt is, at best, fragmented.

Those who theorize about international relations pose unresolved issues about a subject and then advance hypotheses grounded in evidence

⁵³ *Id.* at 16 n.26. *Herding Cats* also fills out and popularizes other worthwhile notions, such as the idea that between track-one and track-two diplomacy one sometimes finds "track-one-and-a-half," defined as "nonofficial organizations acting with the blessing and tacit or open support of the track-one—or the official—effort." *Id.* at 12.

⁵⁴ Crocker et al., *supra* note 5, at 684.

⁵⁵ Crocker et al., *supra* note 11, at 19, 20.

purporting to explain observed or anticipated behavior.⁵⁶ Part of theorizing thus involves searching for common ground among disparate pieces of evidence and competing hypothetical claims. Here, in locating common denominators, the editors have done a satisfactory job.

However, another important aspect of formulating valuable theory involves carefully considering tensions and contradictions in the evidence, discriminating among the unlike, and crafting the emerging theory so as to take such differences into account. In this respect, *Herding Cats* does not especially distinguish itself. Consequently, its effort to extrapolate general theory from the very different circumstances found in the case studies ultimately falls short.

The fact that the book had its genesis in a multiparty mediation project may well have influenced its theoretical shortcomings. The USIP asked two-dozen practitioners to reflect on their experiences, to try to draw useful rules of thumb from them, and to come together to discuss their conclusions. The editors then devoted considerable space to summarizing and synthesizing the participants' varied analyses. Noticeably, however, the editors seldom, if ever, contradicted or took issue with any of the contributors' points.

A stronger theory of multiparty mediation might have been constructed had the editors taken the separate case studies and the sometimes clashing conclusions of the contributors, compared them rigorously and critically, and tried to construct a theoretical model that took into account the differences in the participants' experiences and the tensions in their diverse recommendations. Perhaps if that had been done, when a multiparty mediation problem arose, one would be able to look back to an integrated theoretical model—the *Herding Cats* contribution to third-party intervention theory—to provide guidance with respect to what actions to take.

2. Primacy or Complementarity in Leadership

To illustrate the theoretical flaws, one might consider first the fundamental question "what advice might best be given to one poised to enter a multiparty mediation?" Even here, few, if any, answers have yet swept the field of opposition, not least within the pages of this volume.

One kernel of conventional wisdom might be that for every multiparty mediation a lead authority ought to be designated. For example, Canadian Ambassador Raymond Chretien reacted to the proliferation of mediators in the 1996 Eastern Zaire crisis by distancing himself from others. He withheld acceptance of his United Nations-sponsored mission until U.N. Secretary-

⁵⁶ See MICHAEL R. FOWLER & JULIE M. BUNCK, LAW, POWER, AND THE SOVEREIGN STATE 10 (1995).

General Boutros Boutros-Ghali had declared that Chretien's efforts would be preeminent, and Chretien then worked diligently to separate his efforts from others in the minds of influential media and public and private actors.⁵⁷ On this issue Margaret Anstee likewise concluded, "Multiparty mediation can be helpful, provided it shares the same objectives and serves to harness supporting forces that otherwise would not be available to the peace process."⁵⁸ Even more dogmatically, USIP official Paul Hare wrote, "Regardless of the precise form it takes, it is critical that, whoever the mediator or mediators are, a clear and single source of leadership and direction is recognized. When there are too many would-be peacemakers, the result will be chaos and failure."⁵⁹ Alvaro de Soto, U.N. Assistant Secretary-General for Political Affairs, likewise declared: "It is inherent in good mediation that there should be one agent unquestionably and unequivocally in charge."⁶⁰

And yet, just as this hypothesis is establishing itself in our minds, we learn from Harold Saunders that the "multilevel peace process" in Tajikistan, the poorest of the former Soviet republics, focused on complementarity, rather than primacy.⁶¹ That is, once ground rules and a division of labor were established, multiple peacemakers interacted in Tajikistan without designating a pecking order. Instead, a joint American-Russian management team came together and formulated a "Framework for an NGO Strategy in Tajikistan."⁶² Thereafter, the Inter-Tajik dialogue helped NGOs define key problems on which to work. And, an official and a public peace process coexisted comfortably, gaining strength from one another.⁶³ Saunders concluded:

[T]he concept of the multilevel peace process and the experience of the Inter-Tajik Dialogue seemed to provide at least tentative evidence that

⁵⁷ See Gordon Smith & John Hay, *Canada and the Crisis in Eastern Zaire*, in HERDING CATS, *supra* note 3, at 87, 92-93.

⁵⁸ Anstee, *supra* note 18, at 611.

⁵⁹ Paul J. Hare, *Angola: The Lusaka Peace Process*, in HERDING CATS, *supra* note 3, at 645, 658.

⁶⁰ De Soto, *supra* note 32, at 357.

⁶¹ See Saunders, *supra* note 12, at 176.

⁶² *Id.* at 162. Saunders wrote:

The purpose of this effort was to encourage even those organizations engaged in straightforward humanitarian work to recognize that their prescribed tasks of sustaining or rebuilding a society torn apart by civil war could include an additional dimension of helping the people of Tajikistan develop new interactions and build new institutions that would eventually constitute a civil structure of peace.

Id. at 162-63.

⁶³ *Id.* at 177.

multiple leaders at different levels in a multilevel peace process can strengthen that process if (1) they are conscious of the potential interaction across levels of the process and (2) they are careful to recognize what must be done at each level and what is not possible at each level. Far from diluting overall responsibility, the concept of the multilevel peace process provides an opportunity to enhance responsibility for the process by creating a consciousness of what is going on in building a whole body politic.⁶⁴

The differing approaches taken by Saunders and other contributors to the issue of primacy versus complementarity exemplify the opportunities the editors were afforded to extrapolate new theoretical contributions from all the new evidence presented. Questions linger about whether the choice of primacy or complementarity should depend upon the phase of the conflict, the identity of the potential mediators, the characteristics of the dispute, or some other factor or combination of factors. Enough opportunities to tackle those sorts of questions were missed that one does not in the end close *Herding Cats* and marvel at the dazzling theoretical insights it offers.

3. *Ripeness and the Conflict Cycle*

That the contributors, trying to arrive at general truths from their experiences in very different circumstances, are by no means of one mind on a host of fundamental matters strongly suggests that further study is in order. It underscored for this reader a certain skepticism about the rules of thumb offered in the pages of *Herding Cats*. Much of the counsel offered might best be viewed as initial suggestions, or working hypotheses, and might best be automatically subjected to critical scrutiny, if only to reduce to scale unduly broad generalizations. For example, a central issue with which the editors and various contributors contend is whether conflicts can be resolved only after they reach a particular stage. By analogy, are conflicts like fruit, ripe to be picked only at a certain period of their development?⁶⁵ Or, in the alternative, are they more like a disease that is susceptible to a cure whenever the problem is correctly diagnosed and the proper medicine is applied? Perhaps the answer depends upon the conflict.

Alvaro de Soto, formerly the U.N. Secretary-General's representative to the Central American peace process, found that the notion of ripeness helped to explain how the parties in El Salvador were finally able to end violent conflict. In his view, a military deadlock led to a "mutually hurting

⁶⁴ *Id.* at 178.

⁶⁵ This approach follows the work of I. William Zartman. See generally *RIPE FOR RESOLUTION: CONFLICT AND INTERVENTION IN AFRICA* (1989).

stalemate” and a growing realization on the part of the participants in the civil war, and their supporters, that negotiations were the only feasible route to ending the country’s pain.⁶⁶ Similarly, John de Chastelain related the Good Friday Agreement to a “yearning for peace in Northern Ireland, born of weariness and desperation, that was ready for exploitation by the governments, the parties, and the people.”⁶⁷ And yet, as Professor Bartoli argued, “The very concept of ‘ripeness’ can be used in a tautological way. The only way to say for sure that a conflict is ripe for resolution is when it happens”⁶⁸ He continued:

In the debate over timeliness, we tend to underestimate the power of the mediation itself—the transforming power of the experience of adversaries talking with one another and with others in a setting that is conducive to constructive dialogue. Therefore, it is probably more useful to say that violent conflicts are always ripe to end. At least we should always perceive them as such, thereby helping those involved[,] and who have the power to stop the killings[,] share this perspective.⁶⁹

Rather than identifying such points of tension or disagreement among the contributors and then offering their own clarifying suggestions gleaned from the combination of their academic and practical expertise, the editors opt, more often than not, to focus on the simpler task of searching for common ground among the participants.

4. *Overstatements*

The distinguished international relations theorist Inis L. Claude, Jr. once observed: “Most people are addicted to the overstatement of their favorite propositions, the exaggeration of the scope of their generalizations. We say ‘always’ when we mean ‘sometimes,’ and ‘certainly’ when we mean

⁶⁶ De Soto, *supra* note 32, at 356.

⁶⁷ John de Chastelain, *The Good Friday Agreement in Northern Ireland*, in HERDING CATS, *supra* note 3, at 435, 465. Paul Arthur likewise noted of the situation in Northern Ireland, “The momentum of events and dialogues after 1990 illustrate that a ‘hurting stalemate’ had created the ‘ripe moment’ for intervention.” Arthur, *supra* note 4, at 486. Arthur, however, went on to cite approvingly the thesis that in Northern Ireland the “ripe moment” might best be considered “a process rather than a specific point of time.” *Id.* (quoting Kirsten E. Schulze, *The Northern Ireland Political Process*, IRISH POLITICAL STUDIES 104 (1997)).

⁶⁸ Bartoli, *supra* note 19, at 249–50.

⁶⁹ *Id.* at 250.

'perhaps'; we tend to convert conditional thoughts into absolute standards."⁷⁰ Various of the contributors might fairly be charged with this type of overgeneralization. For instance, with reference to the Northern Ireland context, Paul Arthur first made the factual statement: "Where there is intense and protracted communal conflict, moderates will often attempt to build relationships with moderates on the other side of the divide, to bridge the gap, and to develop a 'centering' dynamic."⁷¹ From this observation, however, he drew the broad and questionable conclusion that "[t]his 'negotiating middle' or 'strong center' is required for peace processes to take hold."⁷²

Similarly, while developing goodwill among the parties plainly helps to bring about a durable solution to a deep-seated conflict, many would be quite hesitant to declare, as Max Van Der Stoel, High Commissioner on National Minorities for the Organization for Security and Cooperation in Europe (OSCE) does, that no lasting solution is possible without "a sufficient measure of goodwill."⁷³ Indeed, Alvaro de Soto's chapter "Ending Violent Conflict in El Salvador" itself may refute Van Der Stoel's point since the Salvadoran protagonists were so lacking in goodwill that "no give-and-take ever took place between the negotiators sitting face to face."⁷⁴

In another passage that may smack of overgeneralization, Van Der Stoel stated:

The sooner third-party conflict prevention is initiated, the greater the chance that the dispute will not reach a high level of tension and that the parties may still be willing (and politically able) to find compromises and accommodate each other's demands. Early action, that is, action taken

⁷⁰ Inis L. Claude, Jr., *The Tension Between Principle and Pragmatism in International Relations* 19 REV. INT'L STUD. 215, 219 (1993), quoted in FOWLER & BUNCK, *supra* note 56, at 38 n.21 (1995).

⁷¹ Arthur, *supra* note 4, at 484. Arthur cites for this proposition Roger Fisher, *Negotiating Inside Out: What Are the Best Ways to Relate Internal Negotiations with External Ones?*, 5 NEGOT. J. 33 (1989).

⁷² Arthur, *supra* note 4, at 484.

⁷³ Crocker et al., *supra* note 12, at 47, 50. See also the three elements purportedly "essential for the effective functioning of any instrument of conflict prevention." Max van der Stoel, *The Role of the OSCE High Commissioner in Conflict Prevention*, in HERDING CATS, *supra* note 3, at 67, 68–69. Again, these may be important in the OSCE context, but whether they apply equally to conflict resolution in other contexts might be doubted.

⁷⁴ De Soto, *supra* note 32, at 360.

before tensions become acute or political positions have been staked, is much more likely to be welcomed by all parties concerned.⁷⁵

Some pages later, however, Harold Saunders noted, “Many deep-rooted human conflicts in their early stages are not ready for formal mediation or negotiation The focus in this period is on changing relationships.”⁷⁶ Later, Saunders explained that fruitful nonofficial dialogues often progress “from the first efforts to establish contact through a deepening and changing of relationships to joint design of actions to change relationships in the larger body politic.”⁷⁷ And, if ceasefires are negotiated at high levels, without close connection to powerful groups with local interests at stake, they are not likely to withstand the test of time. Hence, he argues, the need often exists for a multilevel peace process operative among different groups with diverse perspectives on and stakes in the conflict.⁷⁸

The editors allow such contrasting views to counter one another, but they do not themselves comment upon any overgeneralizations they may have perceived in the chapters they compiled.

B. Lack of Attention to Mediation Techniques

Even more surprisingly, the editors give relatively little attention to particular techniques of mediation. Not only is the book no hands-on primer or working guide for mediators,⁷⁹ but the editors seem to find considerably more significance in the context of the mediation—matters of timing, relationships, and leverage—than in what the mediators actually did in their sessions with the parties. While the editors bow here and there to the “personal skills” and distinctive styles (or “leadership techniques”) of this or that mediator,⁸⁰ they deliver surprisingly little tactical or strategic guidance on how to best mediate an international dispute. The analytical portions of the book focus largely on the institutional and procedural aspects of managing and resolving conflict, as opposed to the approaches actually employed by each individual mediator at the bargaining table.

⁷⁵ Van der Stoep, *supra* note 73, at 70.

⁷⁶ Saunders, *supra* note 12, at 163.

⁷⁷ *Id.* at 166.

⁷⁸ See Saunders, *supra* note 12, at 161–79.

⁷⁹ The Harvard Negotiation Project has published ROGER FISHER, *INTERNATIONAL MEDIATION: A WORKING GUIDE* (1978); however, this set of highly useful, but generic, suggestions might have been supplemented by *Herdin' Cats* had the editors chosen to focus more attention on mediation techniques.

⁸⁰ Crocker et al., *supra* note 5, at 697.

C. Structural Shortcomings

Concise, *Herding Cats* is assuredly not. The editors have done a marvelous job at both identifying a fascinating array of recent disputes and at marshaling the services of intelligent and informed participants to comment upon them. No one will hail them, however, for presenting the subject succinctly. Indeed, even their own concluding chapter, 665 pages into the book, is plagued by unnecessarily repetitive points.

As one might expect from such an elephantine volume, the reader will doubtless find some of the twenty-one case studies to be more useful and interesting than others. Beyond even matters related to the eye of the beholder, however, the studies are uneven in analytical focus. For instance, those familiar with former U.S. Ambassador and Permanent Representative to the United Nations Richard Holbrooke's memoirs on the Balkan conflict⁸¹ will find that his chapter ("The Road to Sarajevo") simply excerpts that book's first chapter. Consequently, its tenor differs strikingly from that of the other contributions, most of which pay close attention to the project's central purpose: to draw useful conclusions about multiparty mediation from the relevant case studies.

In addition, within the principal subsections of the book, the editorial logic with respect to how the case studies were ordered was difficult to discern. The very first selection, by Max Van Der Stoel, provided an overview of the OSCE's conflict resolution work.⁸² However, not only did this chapter fail to investigate any particular OSCE intervention in any detail, but it devoted considerable space to justifying the operational decisions made by the Office of the High Commissioner for National Minorities, rather than exploring and improving ideas about the practice of multiparty mediation. This first case study would have been more representative of the rest of the book had Van Der Stoel devoted more thought and space to critical and creative analysis of a particularly interesting third-party intervention in which the OSCE had played a leading part.

V. CONCLUSION

Herding Cats is an important effort to improve peacemaking through the scholarly tasks of compiling and critically analyzing information. And, given the complexities of modern life and the age-old puzzles of international relations, penetrating analyses are needed every bit as much as, and perhaps even more than, new peacemaking organizations and initiatives.

⁸¹ RICHARD HOLBROOKE, *TO END A WAR* (1998).

⁸² Van der Stoel, *supra* note 73, at 67-83.

Certainly, in a world as torn by strife as ours, plenty of work in promoting peace remains to be done. *Herding Cats* delves below the surface, showing us, for instance, that influential people—and not simply terrorists and arms dealers—either have a stake in continued conflict or deep-seated suspicions that peace will destroy their hopes or ambitions. In this regard Jan Egeland observed:

In the ten conflict resolution efforts in which I have been involved, *all* the leaders at all times claimed their goal was ‘to end the suffering of our peoples.’ In reality, there were always influential political, military, or economic warlords who had their personal and professional interests tied to continued conflict. For a general or a guerrilla leader, peace can be a very scary prospect: demobilization, early retirement, alienation, and, increasingly, investigation for possible war crimes. For the political wartime leader, peace may mean democratic elections that often bring in a new generation of leadership.⁸³

Several of the commentators focus on the need to trim one’s sails to adapt to such realities. For instance, Aldo Ajello wrote of the U.N. experience in Mozambique, where forces were successfully demobilized and reintegrated into civilian life:

I spent countless, precious hours trying to persuade [World Food Program] officials that, whether fair or not, the food requirements of a soldier armed with an AK-47 . . . are greater than those of an unarmed refugee. I was guided less by the need to be fair than by the urgency to consolidate the peace process and prevent slippage.⁸⁴

He continued, “[g]enerally speaking, in the cultures of development and humanitarian aid, priority goes to the most needy and vulnerable groups. By contrast, in a peacekeeping operation, priority should be given to the most dangerous groups, which tend to be the least needy and least vulnerable.”⁸⁵ Keeping in mind the need to wean people from their dependence on war has wide-ranging repercussions for peacemakers charged with crafting policy in strife-torn circumstances. In reflecting on the errors made by the international community in Angola, U.N. official Margaret Anstee wrote:

⁸³ Egeland, *supra* note 10, at 544. Paul Hare likewise wrote of the fundamental psychological problem: “UNITA [National Union for the Total Independence of Angola] had been founded as an armed liberation movement, and its soldiers had known no other way of life but to bear arms in the bush. Giving up their weapons conveyed a sense of surrender and shame.” Hare, *supra* note 59, at 653.

⁸⁴ Ajello, *supra* note 37, at 630.

⁸⁵ *Id*

If elections are to be held, they should never take place until conditions are ripe, especially as concerns demilitarization of the conflicting parties, and should never be based on a 'winner-take-all' formula. The losers must also have a stake in the future stability and prosperity of the country through a judicious system of power sharing. There must be confidence-building measures, especially in the development of sound democratic and judicial systems and a neutral police force; in the field of human rights; through economic and social measures fostering the reintegration of men who have known nothing but fighting by programs of vocational training and job creation; and by much greater involvement of local communities, most especially of women, in the peace process. That requires commitment and funding on the part of the international community in areas previously often neglected.⁸⁶

Certainly, the manifold problems of the aftermath of peace settlements remain tremendously worrisome. Professor Robert Rothstein of Colgate University once perceptively noted that a "peace agreement is merely one element of a larger peace process, an element that may create some new opportunities but hardly alters all aspects of the conflict."⁸⁷ Not only must supportive constituencies be nurtured within the society, but basic skills of negotiation and communication must often be fostered, particularly within influential elites.

Unfortunately, governments and organizations tend to exhibit quite short attention spans with respect to societies attempting to heal themselves. The post-Cold War era may well be remembered not only for the positive advances in the theory and practice of international mediation, but for striking problems of durability given the limited resources the international community dedicates to helping to develop peaceful societies once fighting has stopped.⁸⁸

In closing, one might observe that *Herding Cats* underscores certain striking changes that have been wrought in international relations. Once conflict far from the major Asian, European, and North American population centers attracted a paucity of outside attention, concern, and resources. Then, during the Cold War, conflicts in the developing world frequently became

⁸⁶ Anstee, *supra* note 18, at 607–08.

⁸⁷ ROBERT ROTHSTEIN, THE POLITICAL ECONOMY OF RECONCILIATION 3 (n.d.), *quoted in* Arthur, *supra* note 4, at 483–84.

⁸⁸ As Richard Solomon observed:

One of the prices of peace building in the post-Cold War world is sustained international action in support of a conflict resolution process. The costs of such actions are usually far less than a return to warfare, yet mustering the international political will for such follow-through is a major challenge.

Solomon, *supra* note 20, at 314.

embroiled in the superpower rivalry. This tended not only to distort local and regional problems, but to make them even more intractable.

By contrast, these days various conflicts seem almost overwhelmed by concerned outsiders, all eager to try to bring peace to troubled lands. As one of the contributors noted caustically, members of the international community sometimes seem to view particular disputes as experimental laboratories in which new conflict resolution theories may be tested.⁸⁹ Indeed, while the plethora of third-party interventions has surely enriched creative problem-solving, it has also led to questionable and often contentious behavior among even the best-intentioned intervenors.

In the final analysis, however, multiple intervenors in a conflict seem to have become a fact of life in the post-Cold War era. They can be potentially beneficial in their ability to bring different approaches and pressures to bear on difficult problems, and they can be potentially disadvantageous insofar as they greatly complicate the question of who is in charge. However, in a world in which, as another contributor pointed out, "changes in military technology have enormously raised the risks and costs of conflict even among forces armed only with conventional weapons,"⁹⁰ the drawbacks of too much attention are doubtless to be preferred to those associated with neglect.

From such a perspective, Chester Crocker, Fen Osler Hampson, and Pamela Aall have compiled a timely and instructive book about an enormously important subject. While it does not often provide the final answer, *Herding Cats* does succeed in shining the spotlight of scholarly attention on crucially important emerging questions. What measures might keep multiple initiatives from pulling in different directions? How is success to be measured in this field, and in what ways might the international community encourage the more successful, assist the less helpful, and restrain the unhelpful? Certainly, *Herding Cats* contributes markedly to the breadth of our understanding of the different roles that multiple peacemakers are assuming in international affairs. It may well come to be viewed as a foundational work in a singularly significant field, the groundwork upon which future generations of scholars and practitioners will build their own valuable contributions.

⁸⁹ Hara, *supra* note 16, at 142.

⁹⁰ Einaudi, *supra* note 34, at 423.

